

United Kingdom-Bristol: Lubricating oils and lubricating agents

OJ S 126/2013 02/07/2013

Contract notice

Supplies

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: Defence Fuel & Food Services, DE&S

Postal address: Elm 2C, Mailpoint #4233, MOD Abbey Wood

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom

For the attention of: Mark Shipway

E-mail: descommodities-comrcl-fuel@mod.uk

Telephone: +44 3067983559

Additional information can be obtained from:

the abovementioned address

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:

the abovementioned address

Tenders or requests to participate must be submitted: the abovementioned address**I.2. Type of the contracting authority**

Ministry or any other national or federal authority, including their regional or local subdivisions

I.3. Main activity

Defence

I.4. Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities: no

Section II: Object of the contract

II.1. Description**II.1.1. Title attributed to the contract by the contracting authority**

Supply of Oils and Lubricants to Royal Fleet Auxiliary Flotilla Vessels

II.1.2. Type of contract and place of performance or delivery

Supplies

Purchase

NUTS code UK United Kingdom

II.1.3. Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement

II.1.4. Information about framework agreement

Framework agreement with a single operator

Duration of the framework agreement

Duration in years: 4

Estimated total value of purchases for the entire duration of the framework agreement

Estimated value excluding VAT: 3 600 000 GBP

II.1.5. Short description of the contract or purchase(s)

Lubricating oils and lubricating agents. Lubricants. Defence Fuel and Food Services (DFFS) has a requirement for the procurement and supply of a range of approximately 48 oils and lubricants for use in the marine environment.

II.1.6. CPV code(s)

09211000 Lubricating oils and lubricating agents

II.1.7. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

II.1.8. Lots

This contract is divided into lots: no

II.1.9. Information about variants

II.2. Scope of the procurement

II.2.1. Total quantity or scope

Defence Fuel and Food Services (DFFS) has a requirement for the procurement and worldwide supply of a range of approximately 48 oils and lubricants for use in the marine environment. The items are standard commercial of the shelf products. The requirement also includes the provision of test kits with consumables and appropriate training. An approved laboratory based condition monitoring service with web based analysis reports should also be provided.

The Contract for this requirement will be awarded based on the most economically advantageous tender as detailed in the Invitation To Tender (ITT). DFFS intend to use an Electronic Reverse Auction (ERA) to select the winning tender. Only tenders that are deemed to provide a sufficiently high confidence level in their ability to fully meet the requirement at the ITT stage will proceed to the ERA. The requirement is based on the estimated number of products required to support operational deployments, peace time and training activities and routine maintenance for the Marine environment on an annual basis and is not a guarantee of volume or value.

Tenderers will be invited to bid against the whole requirement. Tenderers who do not bid against every item will be deemed non compliant. Tenders who provide a sufficiently high confidence level in their ability to fully meet the requirement at the ITT stage will proceed to the ERA whereby the tenderer that offers the Most Economically Advantageous Tender at this stage will be awarded a Framework agreement for a period of 4 years.

Objective criteria for choosing limited number of suppliers:

The Authority invites Expressions of Interest (EofI) by email only to DEscommodities-comrcl-fuel@mod.uk for this requirement. Potential suppliers must also submit with their EofI the following:

- A copy of the audited accounts for the 2 most recent years. Should they be trading for less than 1 year, alternative means of demonstrating financial status must be submitted. See Para III.2.2 for further information

- Quality Accreditation:

The Authority requires the potential provider to hold current Certification to BS EN ISO 9001:2008 issued by a UKAS Accredited 3rd Party Certification Body or (for non UK

companies) a Certification Body accredited by the appropriate member of the International Accreditation Forum, with a scope related to the supply and distribution of Oils and Lubricants to RFA flotilla vessels. Where this cannot be provided, companies must demonstrate compliance with AQAP - 2130 NATO Quality Assurance Requirements for Inspection and Test and AQAP - 2105 NATO Requirements for Deliverable Quality Plans, for evaluation by a Government Quality Assurance Representative. AQAPs can be obtained from www.dstan.mod.uk .

- Insurance:

Confirmation that companies hold Employers Liability Insurance of at least £5M.

The closing date for receipt of Eofls is 23:59 hours on 8th July 2013.

Failure to supply the above information with the Eofl may deem the Eofl non compliant.

The Authority will then issue a letter requesting information of the suppliers Good Standing in relation to Regulation 23 of the Public Contracts Regulations 2006 (PCR 2006), to those companies for which a compliant Eofl has been received by 23:59 hours on 8th July 2013. The Statement Relating to Good Standing must be completed and returned to DFFS in both electronic and hard copy format by the date indicated.

Only those companies or alliances that can demonstrate a sufficient level of competence against the Authority's above criteria will be invited to tender; it is envisaged that a maximum of 6 companies or alliances that meet the minimum qualifying standard will be invited to tender. This procurement will take place under the Public Contract Regulations Accelerated Restricted Procedure. Please note that the requirement to which this notice relates comes under Logistic Commodities and Services (LCS), formed on 1 Aug 11. LCS is determining the future strategy for all commodities and services within its remit and may, in the future, place a contract for the supply of services which may include the provision of articles (or services) which are covered by this notice. In this event, the Authority may satisfy its requirements from the LCS service contract and no further orders will be placed against any framework arising from this notice. The announcement of a future requirement is not to be construed as confirmation that a tender /contract will subsequently be issued; announcements are for information only. Thus the issue of a possible future purchase notice, or the issue of an invitation to tender, is not to be construed as a commitment by the MOD to place an order as a result of the tendering exercise or at a later stage. Any expenditure, work or effort undertaken prior to contract award is a matter solely for the commercial judgement of potential suppliers.

Expressions of interest received after 23:59 on 8th July 2013 will not be considered.

Estimated value excluding VAT: 3 600 000 GBP

II.2.2. Information about options

Options: no

II.2.3. Information about renewals

This contract is subject to renewal: no

II.3. Duration of the contract or time limit for completion

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

Parent Company Guarantee or Bankers Guarantee may be required.

III.1.2.

Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

Tenders to be priced in pounds sterling Payment will be made in pounds sterling or any other currency to be adopted by the UK.

III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded

The group will be required to nominate a lead partner with whom the authority can lawfully contract or form themselves into a single legal entity before the contract is awarded.

III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: The MOD is progressively moving towards electronic purchasing using the Purchase to Payment (P2P) system operated over the Defence Electronic Commerce Service (DECS). Any resultant contract may also require the supplier to trade via the P2P system The performance of the contract will be subject to monitoring and management through key performance indicators, which will be detailed in the ITT.

III.2. Conditions for participation

III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions: The Authority will apply all the offences listed in Article 45(1) of Directive 2004/18/EC (implemented as Regulation 23(1) of the Public Contract Regulations (PCR) 2006 in the UK) and all of the professional misconducts listed at Article 45 (2) of Directive 2004/18/EC (see also Regulation 23(2) in the PCR 2006) to the decision of whether a Candidate is eligible to be invited to tender.

A full list of the Regulation 23(1) and 23(2) criteria are at <http://www.contracts.mod.uk/delta/project/reasonsForExclusion.html#dspr>

Candidates will be required to sign a declaration confirming whether they do or do not have any of the listed criteria as part of the pre-qualification process. For candidates who are registered overseas, you will need to declare if you have any offences/misconduct under your own countries laws, where these laws are equivalent to the Regulation 23 lists.

Candidates who have been convicted of any of the offences under Article 45(1) are ineligible and will not be selected to bid, unless there are overriding requirements in the general interest for doing so.

Candidates who are guilty of any of the offences, circumstances or misconduct under Article 45 (2) may be excluded from being selected to bid at the discretion of the Authority.

III.2.2. Economic and financial ability

List and brief description of conditions: The Economic Operator is required to provide one of the following with their Eofl to satisfy the Authority that they have the economic and financial capacity to perform the contract:

1. A copy of audited accounts for the most recent two years.
2. Alternative means of demonstrating financial status if trading for less than a year.

In relation to Regulation 24 of the PCR 2006, the Applicant's (individual companies or members of potential alliances) financial ability to meet this requirement will be assessed on a risk basis and the Applicant's financial accounts will be evaluated by the Cost Assurance and Analysis Service's (CAAS) Financial Analysts. Factors that will be taken into consideration when evaluating the accounts include: Turnover; Profitability; Liquidity and Working Capital; Debt; and Cashflow. CAAS will also examine the financial health of any parent company where appropriate. When assessing the financial health of an organisation the Authority will

also take into consideration any Auditor's opinion, for example Qualifications or Emphasis of Matter Statements. The Authority's opinion may be validated using financial credit agencies such as Company Watch and Dun and Bradstreet. If examination of the financial accounts exposes potential for an applicant to experience financial difficulty, then the Authority will determine the level of risk that it is willing to bear in fulfilling the requirement. Evaluation of the accounts will attract an acceptable or non-acceptable risk marking.

The Authority reserves the right to request further information.

Minimum level(s) of standards possibly required: Any Economic Operator who fails this initial stage will not be invited to submit a tender for the requirement.

III.2.3. Technical and professional ability

List and brief description of conditions:

Full details will be provided in any resultant ITT.

Minimum level(s) of standards possibly required:

Any applicable minimum standards will be detailed in any resultant ITT.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

III.3.2. Information about staff responsible for the performance of the contract

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Accelerated restricted

Justification for the choice of accelerated procedure: To meet operational requirements.

IV.1.2. Information about the limits on the number of candidates to be invited

Envisaged minimum number 5: and Maximum number 6

Objective criteria for choosing the limited number of candidates: Only those companies or alliances that can demonstrate a sufficient level of competence against the Authority's selection criteria will be invited to participate in the competition; it is envisaged that a maximum of 6 companies or alliances that meet the minimum qualifying standard by not failing any of the criteria.

IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue

IV.2. Award criteria

IV.2.1. Award criteria

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

IV.2.2. Information about electronic auction

An electronic auction will be used: yes

Additional information about electronic auction: Yes. A Reverse Auction, conducted using electronic means, may be used as part of the procurement process for this requirement.

Specific relevant information on Reverse Auction usage will be given in the Invitation to Tender.

IV.3. Administrative information

IV.3.1. File reference number attributed by the contracting authority

DFFS/5027

IV.3.2. Previous publication concerning this procedure

no

IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document

IV.3.4. Time limit for receipt of tenders or requests to participate

8.7.2013 - 23:59

IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.3.6. Languages in which tenders or requests to participate may be submitted

English.

IV.3.7. Minimum time frame during which the tenderer must maintain the tender

IV.3.8. Conditions for opening of tenders

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:
no

VI.3. Additional information

The contracting authority considers that this contract may be suitable for economic operators that are small or medium enterprises (SMEs). However, any selection of tenderers will be based solely on the criteria set out for the procurement, and the contract will be awarded on the basis of the most economically advantageous tender. Suppliers interested in working with the Ministry of Defence should register on the MOD Supplier Information Database (SID) Register, available at www.contracts.mod.uk. The MOD SID is a database of active and potential suppliers available to all MOD and UK Defence procurement personnel, and is the main supplier database of MOD Procurement organisations. Please note: the registration and publication of a company profile on the MOD SID does not mean or imply that the supplier has in any way been vetted or approved by the MOD. Suppliers wishing to compete for advertised MOD contracts must respond to any specific call for competition by submitting a separate expression of interest in accordance with the instructions of the purchasing organisation.

Advertising Regime OJEU:- This contract opportunity is published in the Official Journal of the European Union (OJEU), the MoD Defence Contracts Bulletin and www.contracts.mod.uk GO Reference: GO-2013627-DCB-4910693

VI.4. Procedures for review

VI.4.1. Review body

Official name: Defence Fuel & Food Services, DE&S

Postal address: Elm 2C, Mailpoint #4233

Town: Bristol

Postal code: BS34 8JH

Country: United Kingdom

E-mail: DESCommodities-Comrcl-Fuel@mod.uk

Telephone: +44 03067983559

Body responsible for mediation procedures

Official name: Defence Fuel & Food Services, DE&S

VI.4.2. Review procedure

VI.4.3. Service from which information about the review procedure may be obtained

Official name: Defence Fuel & Food Services, DE&S

VI.5. Date of dispatch of this notice

27.6.2013